



GAU 1205

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of

BAUMANN et al.

Serial No. 08/718,377

Filed: September 30, 1996

For: THE USE OF CARBOXYLIC ACID DERIVATIVES AS DRUGS

Art Unit: 1205

Examiner: Jones, D.

#6
11-10-97
C. Jones

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231, on:

Date of Deposit October 30, 1997
Person Making Deposit Herbert B. Keil

Signature [Signature]
Date of Signature October 30, 1997

Honorable Commissioner of
Patents and Trademarks
Washington, D.C. 20231

ELECTION

Sir:

In response to the examiner's requirement for election of a single disclosed species, the applicants elect the compound of formula I wherein:

R = COOH

X = CH

Y = O

Z = O

R² = OCH₃

R³ = OCH₃

R⁴ = CH₃

R⁵ = phenyl

R⁶ = benzyl

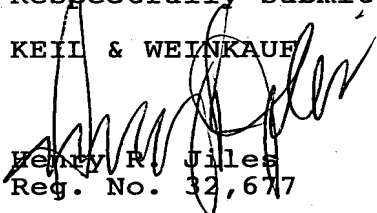
The elected species, 3-Benzylloxy-3-phenyl-2-(4,6-dimethoxy-2-pyrimidinyl)oxybutyric acid, is produced at example 4, page 29. The requirement for election is traversed for the reasons set forth in the amendment submitted on July 14, 1997. An action on the merits is solicited.

BAUMANN et al., Serial No. 08/718,377

Please charge any shortage in fees due in connection with the filing of this paper, including Extension of Time fees to Deposit Account No. 11.0345. Please credit any excess fees to such deposit account.

Respectfully submitted,

KEIL & WEINKAUF


Henry R. Jiles
Reg. No. 32,677

1101 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 659-0100

HRJ/kas